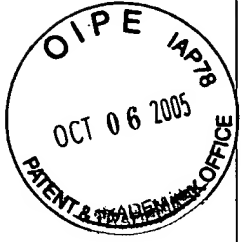


AF
JFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of :
Takashi YAMANAKA et al. :
Serial No. 09/910,108 : Group Art Unit - 2633
Filed: July 20, 2001 : Examiner - Shi K. Li
For: OPTICAL COMMUNICATION :
DEVICE AND METHOD FOR :
CONTROLLING OPTICAL :
COMMUNICATION DEVICE :
(As Amended) : Docket No. S004-4348

-----ooo:O:ooo-----

MS AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

S I R:

Applicants hereby appeal from the decision dated April 4, 2005 of the Primary Examiner finally rejecting claims 18-32 and 34-53. The items checked below are appropriate:

1. (X) An extension of time to respond to the final rejection was granted to October 4, 2005 for three months.
2. (X) A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

10/07/2005 TBESHAH1 00000024 09910108

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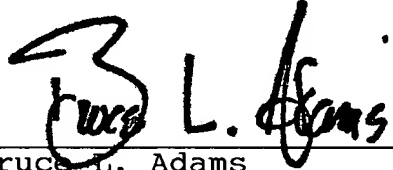
MAILING CERTIFICATE ON PAGE 2

3. (X) A check in the amount \$500.00 is enclosed herewith to cover the required appeal fee. Should the check prove insufficient for any reason, authorization is hereby given to charge any such insufficiency to Deposit Account No. 01-0268.

Respectfully submitted,

ADAMS & WILKS
Attorneys for Applicants

By:


Bruce L. Adams
Reg. No. 25,386

17 Battery Place
Suite 1231
New York, NY 10004
(212) 809-3700

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: MS AF COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Debra Buonincontri

Name



Signature

October 3, 2005

Date